

Provided by Ministry of Environment	November 14, 2007
<u>(Draft) Risk Assessment – Tip Sheet</u>	Pages: 1 of 2

This tip sheet has been developed to provide general tips on Risk Assessment when conducting an Environmental Site Assessment and filing a Record of Site Condition for a brownfield property. Refer to CAUTIONARY NOTE.

Feedback and Comments: This is a working document. Members of the SSRDF are encouraged to provide their input, comments and feedback for the Tip Sheet. Please respond to Wayne Coutinho and Adam Leus.

(Draft) Risk Assessment – Tip Sheet

- Transparency, clarity, and good communication are essential in any risk assessment (RA) submission; the reader should be able to reproduce the authors results with the information contained in the RA
- Making the Best Use of the Pre-Submission Form (PSF)
 - The PSF review is a consultation process, not an approval. This is your chance to receive reviewer feedback on your proposed RA approach.
 - Provide sufficient information and explanation with the PSF so ministry reviewers can provide helpful comment
- Put significant effort into developing, supporting and communicating an appropriate Conceptual Site Model
- Communicating the Conceptual Site Model
 - The PSF leads the Qualified Person through the thought process
 - The PSF must also explain assumptions and clarify and justify them in separate text
 - Are the contaminant inventories, drawings and exposure pathway tables consistent?
 - Are all assumptions illustrated?
 - Are there uncertainties in your approach and have you explained them?
- Selecting the right contaminants of concern (COC)
 - For each RSC property, screen for COCs using the applicable table of Site Condition Standards (use only one table per RSC property).
 - Is your site considered sensitive as per Section 41 of O.Reg 153/04? If yes, you must screen against Table 1.
 - Have you consulted with the municipality to determine the potability of the ground water at the property (this will have implications on which table of standards is applicable)
 - It may be helpful to think of COCs as any parameter that prevents the QP_{ESA} from filing a generic RSC (i.e. any contaminant for which the maximum site concentration does not meet the applicable generic standard)
 - The RA must propose a Property Specific Standard (PSS) for each COC that does not meet the appropriate generic standards (Tables 1, 2, 3, 4 or 5).
 - Any contaminants not specified in risk assessment **must** meet the applicable Table of Site Condition Standards (Table 1, 2, 3, 4 or 5) when the RSC is submitted
 - Assess, for both human health and ecological risk, all contaminants which will not meet the applicable Table of Site Condition Standards (generic standards in Table 1, 2, 3, 4 or 5) **when the RSC is submitted**

Reference Document for the Service Station Redevelopment Framework

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- The RA can provide just one set of PSS for a property.
- If multiple properties are included in one RA, then each property must have its own legal description and survey, lists of COC's and PSS, risk management measures and separate certifications for each property
- O.Reg 153/04 requires that a **summary** of the phase 2 ESA be attached as an appendix to the RA. The summary must be adequate to demonstrate that the data used to characterize the property are sufficient for the purposes of the RA. Do NOT submit the full phase 2 ESA
- Distinguish between risk assessment and risk management
 - Provide a calculation of risk both with and without risk management
- Always include an Ecological Risk Assessment as it is a requirement of O.Reg 153/04
- The outcome is MOE **approval of the property-specific standards** (soil and ground water concentrations) for use in the RSC. These standards must be met at the time of filing the RSC.
- The means to achieve the standards (remediation) are not approved through O.Reg. 153/04
- Selection of COC's prior to remediation can make a RA less transparent. The purpose of the RA is to develop PSS for parameters that exceed the applicable generic standards after remediation has been completed (i.e at the time of filing the RSC)
- Ensure all documentation included and sent to the Ministry of the Environment **Environmental Assessment and Approvals Branch**
- While the Reg doesn't require it, it is recommended that 2 electronic copies of the full RA submission also be provided in addition to the 7 hard copies.
- Before submitting the RA to MOE, remember to check the final list of PSS's against what is needed by the QPESA to file the RSC.
- Only the property owner can submit risk assessment to the ministry; provide proof of business name and property ownership and sign the PSF to certify that the QP conducts the risk assessment on their behalf
- The same QP must sign the PSF and the risk assessment report certifications

CAUTIONARY NOTE: This tip sheet has been developed to provide general tips on risk assessment when conducting an environmental site assessment and filing a record of site condition for a brownfield property. *As it summarizes complex matters and reflects legislation, policies and practices that are subject to change, it should not be relied upon as a substitute for specialized legal or professional advice in connection with any particular matter.* Reference should always be made to the text of the Records of Site Condition Regulation (O. Reg. 153/04) and the Environmental Protection Act to ascertain specific legal requirements. Where there is a discrepancy between this fact sheet and O. Reg. 153/04 or the Environmental Protection Act, the regulation or Act prevails. The Act and its regulations may be obtained from Ontario's e-laws website at www.e-laws.gov.on.ca or by calling the Ministry's Public Information Centre at 1-800-565-4923.

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